

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

BRUCE LYLES,

Plaintiff,

v.

Civil Action 2:12-cv-00751

Judge Gregory Frost

Magistrate Judge Elizabeth P. Deavers

CAPITAL - EMI MUSIC INC., *et al.*,

Defendants.

**ORDER**

On March 20, 2013, Defendant Usher Raymond filed an Amended Motion to Dismiss to indicate in the certificate of service that he served a copy of the Motion on Plaintiff by U.S. mail. (ECF No. 35.) Accordingly, the Clerk is **DIRECTED** to remove Defendant Raymond's original Motion (ECF No. 30), which is substantively identical to the Amended Motion, from the Court's pending Motion list. The Clerk is **DIRECTED** to mail Plaintiff a copy of Defendant Raymond's Notice of Manual Filing of Declaration Exhibit (ECF No. 31), along with copies of the exhibits that Defendant Raymond manually filed. Plaintiff is **DIRECTED** to respond to Defendant's Motion, if at all, **WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE OF DEFENDANT'S AMENDED MOTION TO DISMISS**, consistent with S.D. Ohio Civ. R. 7.2(a)(2).

**IT IS SO ORDERED.**

Date: March 21, 2013

/s/ Elizabeth A. Preston Deavers

Elizabeth A. Preston Deavers

United States Magistrate Judge